

IN THE UNITED STATES DISTRICT COURT

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

FOR THE SOUTHERN DISTRICT OF GEORGIA

2018 OCT 15 PM 3:09

DUBLIN DIVISION

CLERK 
SO. DIST. OF GA.

ISMAEL LOPEZ GODINEZ,

Petitioner,

v.

CV 318-074

JOHN BRETZ, Atlanta Assistant Field Office)

Director for Stewart Detention Center;)

BILL SPIVEY, Warden, Stewart Detention)

Center; JEH JOHNSON, Secretary, United)

States Department of Homeland Security; and)

JEFF SESSIONS, Attorney General, United)

States Department of Justice,)

Respondents.)

ORDER

Petitioner, an inmate at Stewart Detention Center in Lumpkin, Georgia, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 in this Court challenging his continued detention without bond by Immigration and Customs Enforcement pending a final order of removal. (Doc. no. 1.) Stewart Detention Center is located in the Middle District of Georgia.

“[M]otions made pursuant to § 2241 must be brought ‘only in the district court for the district in which the inmate is incarcerated.’” United States v. Kinsey, 393 F. App’x 663, 664 (11th Cir. 2010) (quoting Fernandez v. United States, 941 F.2d 1488, 1495 (11th Cir. 1991)). This Court follows the practice of transferring § 2241 petitions to the district of the petitioner’s incarceration. See, e.g., Fox v. United States, CV 417-196, 2017 WL 6596605, *1 (S.D. Ga. Oct. 20, 2017) (“Section 2241 petitions may be brought *only* in the district

court for the district in which the inmate is incarcerated.”) (quoting Fernandez, 941 F.2d at 1495); Williams v. Rivera, CV 411-301, 2011 WL 7005735, *1 (S.D. Ga. Dec. 12, 2011). Therefore, the Court **ORDERS** the transfer of this action to the United States District Court for the Middle District of Georgia and **DIRECTS** the Clerk to forward the file to that District.

SO ORDERED this 15th day of October, 2018, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE